

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John A. Moon	:	
	:	Art Unit: 2872
Serial No.: 10/661,031	:	
	:	Examiner: Lavarias, Arnel C.
Filed: September 12, 2003	:	
	:	
For: DIFFRACTION GRATING-BASED	:	
ENCODED MICROPARTICLES FOR	:	
MULTIPLEXED EXPERIMENTS	:	

INFORMATION DISCLOSURE STATEMENT

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 1.97 and the continuing duty of candor and good faith in dealing with the PTO, the undersigned submits the following Supplemental Information Disclosure Statement and accompanying Form 1449 for the Examiner's consideration.

This Supplemental Information Disclosure Statement supplements Tables 1 and 2 of the previously filed Information Disclosure Statement ("IDS") filed on August 30, 2007. Tables 1 and 2 list references cited during the prosecution of copending foreign and other U.S. applications. In addition, this Supplemental Information Disclosure Statement also provides the accompanying Form 1449 listing other references for the Examiner's consideration.

As in the previously filed IDS, Table 1 provides a list of the serial numbers for the above noted copending applications, dates on which Office Actions were mailed, and the cited art applied in such Office Actions under one or more sections of 102 and/or 103. Table 1 lists all of the applied art in the other U.S. applications, some art of which may not be of record in the present application and some art of which may already be of record in the present application. The references in Table 1 that were cited in an Office Action of another U.S. application and are not yet of record in the present application are also cited in the attached Form 1449. If Table 1

lists references that were cited in an Office Action of another U.S. application, but are already of record in the present application, then such references are identified with an asterisk (*) in Table 1 to indicate that they were previously submitted to the Office in the present application. Hence, references listed in Table 1 with an asterisk are not listed on the attached Form 1449, as they are already of record.

Table 1

U.S. Application No.	Cited Art in a 102 and/or 103 Rejection	Date of Office Action
10661836	2003/0129654 (Ravkin) * 6027694 (Boulton) 2003/0082587 (Seul) 6242056 (Spencer) * 6908737 (Ravkin)	9/20/2007
10990057	WO 01/78889 (Som) 2002/0094528 (Salafsky) * 5610287 (Nikiforov) * 5160701 (Brown) 2004/0125370 (Montagu) * 2005/0042764 (Sailor) * 5633975 (Gary) * 5283777 (Tanno) * 4011435 (Phelps) * 2001/0007775 (Seul)	9/10/2007
11187262	2003/0129654 (Ravkin) * 6096496 (Frankel) *	8/17/2007

As in the previously filed IDS, Table 2 provides a list of the serial numbers for the above noted copending foreign applications, dates on which Search Reports or Office Actions were mailed, and the references that were cited as Category X or Category Y documents. The references listed in Table 2 are already of record in the present application and such references are identified with an asterisk (*) in Table 2 to indicate that they were previously submitted to the Office. Hence, references listed in Table 2 with an asterisk are not listed on the attached Form 1449, as they are already of record.

Table 2

Foreign Application No.	References Cited as X or Y	Date of Search Report or Office Action
European Application No. 04811206.4	US 2003/0129654 * US 2004/126875 * WO 2004/025562 *	8/17/2007

The filing of this Information Disclosure Statement should not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b). Also, it is emphasized that the undersigned is under no obligation to provide the information in Tables 1 and 2 above. Providing the information in Tables 1 and 2 above is not required under 37 C.F.R. § 1.97, nor under the duty of candor and good faith in dealing with the PTO. This information is provided merely as a convenience.

Should the Examiner have any questions regarding the above, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Respectfully Submitted,

Date: 10/15/2007

A handwritten signature in black ink, appearing to read "Dean Small", written over a horizontal line.

Dean Small, Reg. No.: 34,730
The Small Patent Law Group LLP
611 Olive Street, Ste. 1611
St. Louis, MO 63101
314-584-4081

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INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following are submitted in the above application in compliance with 37 CFR 1.97 and 37 CFR 1.98.

- ☒ 1. A list of documents on form PTO/SB/08A (Substitute for form 1449/PTO) together with copies of each identified document and a translation thereof or a concise explanation of each non-English language document or a Search Report or communication from a non-US patent office or an International Search Report from an International Searching Authority for a patent application filed via the Patent Cooperation Treaty or document(s) cited in the application or the priority application.

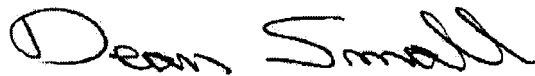
This paper is submitted in accordance with:

- ☐ 2. 37 CFR 1.97(b): [within three months of national, non-CPA filing, prior to first Office Action, on the merits, or prior to first office action after filing an RCE].

- ☐ 3. 37 CFR 1.97(c): [before Final Office Action, Allowance, or other action closing prosecution, whichever is earlier]; and
- ☐ a. The required Certification made in item 5 below; or
- ☐ b. The \$180.00 fee specified in 37 CFR 1.17(p) for submission of this Information Disclosure Statement is authorized in item 6 below.
- ☐ 4. 37 CFR 1.97(d): [on or before issue fee payment]; and
- ☐ a. The required Certification is stated in item 5 below; and
- ☐ b. The \$180.00 fee specified in 37 C.F.R. 1.17(p) for submission of this Information Disclosure Statement is authorized in item 6 below.
- ☐ 5. Certification
- ☐ a. Each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of this Statement; or
- ☐ b. No item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application and, to the knowledge of the person signing this document after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR 1.56(c) more than three (3) months prior to the filing date of this Statement.
- ☐ 6. Payment of all applicable fees:
- ☒ If any additional extension and/or fee is required, charge Deposit Account No. **50-3858**.
- ☐ PTO-2038 Credit Card Payment Form is attached for the amount of \$180.00 for payment of all applicable fees associated with the submittal of this Information Disclosure Statement.

This document is submitted in duplicate.

Respectfully Submitted,



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